

7jgmtwoh (7/12)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI**

In Re: Interstate Bakeries Corporation (ALL FUTURE
FILING SHALL BE IN 04-45816)
Debtor

Bankruptcy Case No.
04-45814-can11

**Lewis Brothers Bakeries Incorporated and Chicago
Baking Company**
Plaintiff(s)

Adversary Case No.
08-04239-can

v.

**Interstate Brands Corporation
Lewis Brothers Bakeries Incorporated and Chicago
Baking Company**
Defendant(s)

JUDGMENT

The issues of this proceeding having been duly considered by the Honorable Cynthia A. Norton , United States Bankruptcy Judge, and a decision having been reached without trial or hearing.

IT IS ORDERED AND ADJUDGED: that the motion for summary judgment of plaintiffs Lewis Brothers Bakeries Incorporated and Chicago Baking Company is granted, and the cross-motion for summary judgment of defendant Interstate Brands Corporation is denied, for the reasons set forth in the Opinion. JUDGMENT is hereby entered in favor of plaintiffs declaring that the License Agreement between plaintiffs Lewis Brothers Bakeries Incorporated and Chicago Baking Company and defendant Interstate Brands Corporation, dated as of December 27, 1996, is not an executory contract within the meaning of Section 365 of the Bankruptcy Code. The Clerk shall enter a separate Judgment in accordance with Fed. R. Civ. P. 58. Each party shall bear its own costs.



Ann Thompson
Court Executive

By: /s/ Jamie McAdams
Deputy Clerk

Date of issuance: 7/11/14

Court to serve